

BRANCART & BRANCART
Christopher Brancart (SBN 128475)
Liza Cristol-Deman (SBN 190516)
Post Office Box 686
Pescadero, CA 94060
Tel: (650) 879-0141
Fax: (650) 879-1103
cbrancart@brancart.com
lcristoldeman@brancart.com

Attorneys for Plaintiffs

PROTECTION & ADVOCACY, INC.
Stuart Seaborn (SBN 198590)
Dara Schur (SBN 98638)
Eric Gelber (SBN 95256)
100 Howe Ave. Suite 235N
Sacramento, CA 95825
Tel: (916) 488-9950
Fax: (916) 488-9960
stuart.seaborn@pai-ca.org

Attorneys for Ruby Duncan, Eva Northern,
and Class Plaintiffs Only

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

**GREATER NAPA FAIR HOUSING
CENTER, a California Not for Profit
Corporation, doing business as
FAIR HOUSING NAPA VALLEY, as
an individual entity only; et al.,**

Plaintiffs,

vs.

**HARVEST REDWOOD
RETIREMENT RESIDENCE, L.L.C.,
doing business as Redwood
Retirement Residence; et al.,**

Defendants.

Case No. C-07-3652 PJH

**JOINT APPLICATION AND
STIPULATION FOR ISSUANCE OF
ORDER GRANTING PLAINTIFFS
LEAVE TO FILE FIRST AMENDED
COMPLAINT; [PROPOSED] ORDER**

Pursuant to Rule 15(a) of the Federal Rules of Civil Procedure, the parties to this action, by and through their attorneys of record, hereby apply for and stipulate to an order granting plaintiffs leave to file a first amended complaint. The proposed first amended complaint is attached hereto as Exhibit 1.

**JOINT APPLIC. & STIP. FOR ISSUANCE OF ORDER GRANTING PLAINTIFFS LEAVE TO FILE FIRST
AMENDED COMPLAINT; [PROPOSED] ORDER; CASE NO. 07-3652 PJH**

1 The first amended complaint adds two named plaintiffs and proposed class
2 representatives, Marie Broman and Al Fournier. The first amended complaint also
3 clarifies the status of plaintiff Mae Louise Whitaker, who appears on her own behalf and
4 as the successor in interest to deceased plaintiff Ruby Duncan. There are no new
5 causes of action.

6 There is good cause to grant this application. First, the parties agree to the
7 amendment. Second, the proposed amendment will not delay this action, since a trial
8 date and pretrial deadlines have not yet been set. Third, Fed.R.Civ.P. 15(a) provides
9 that leave to amend shall be "freely given when justice so requires."

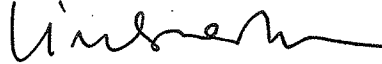
10 The parties have agreed that defendants shall have until December 7, 2007 to
11 file a responsive pleading.

12 So stipulated.

13 Respectfully submitted,

14 BRANCART & BRANCART
15 PROTECTION & ADVOCACY, INC.

16 Dated: November 13, 2007.



17 Liza Cristol-Deman
18 BRANCART & BRANCART
19 Attorneys for Plaintiffs

20 HANSON BRIDGETT MARCUS VLAHOS &
21 RUDY, LLP

22 Dated: November 13, 2007.



23 Kurt A. Franklin
24 Attorneys for Defendants

[PROPOSED] ORDER

Based on the joint application and stipulation of the parties to this matter, and good cause appearing therefor, the Court hereby grants plaintiffs leave to file the first amended complaint. Plaintiffs are directed to file the first amended complaint on the Court's ECF system.

Defendants shall have until December 7, 2007 to file a responsive pleading.

IT IS SO ORDERED.

Dated: November 16, 2007.

